

LEGISLATURE OF NEBRASKA  
NINETY-EIGHTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 1083A**  
FINAL READING

Introduced by Jensen, 20

Read first time March 5, 2004

Placed on General File

A BILL

1 FOR AN ACT relating to appropriations; to amend Laws 2003, LB 407,  
2 section 220; to appropriate funds to aid in carrying out  
3 the provisions of Legislative Bill 1083, Ninety-eighth  
4 Legislature, Second Session, 2004; to state intent; to  
5 provide for transfers; to change appropriations; to  
6 repeal the original section; and to declare an emergency.  
7 Be it enacted by the people of the State of Nebraska,

1           Section 1. There is hereby appropriated (1) \$1,328,190  
2 from the Nebraska Health Care Cash Fund for FY2003-04, (2)  
3 \$4,671,810 from the Nebraska Health Care Cash Fund, \$2,500,000 from  
4 the Behavioral Health Services Fund, and \$1,845,240 from federal  
5 funds for FY2004-05, and (3) \$2,500,000 from the General Fund for  
6 FY2005-06 to the Department of Health and Human Services Finance  
7 and Support, for Program 38, to aid in carrying out the provisions  
8 of Legislative Bill 1083, Ninety-eighth Legislature, Second  
9 Session, 2004.

10           There is included in the appropriation to this program  
11 \$2,500,000 Cash Funds for FY2004-05 and \$2,500,000 General Funds  
12 for FY2005-06 as state aid for the maintenance and treatment of  
13 persons in emergency protective custody.

14           The State Treasurer shall transfer \$2,500,000 from the  
15 Nebraska Medicaid Intergovernmental Trust Fund to the Behavioral  
16 Health Services Fund on or before July 15, 2004.

17           There is included in the appropriation to this program  
18 \$1,328,190 Cash Funds for FY2003-04 and \$4,671,810 Cash Funds and  
19 \$1,845,240 federal funds for FY2004-05 as state aid to develop or  
20 provide community-based behavioral health services.

21           Sec. 2. It is the intent of the Legislature that up to  
22 \$100,000 of the cash fund appropriation from the Nebraska Health  
23 Care Cash Fund to the Legislative Council, Program 122, Legislative  
24 Services, for FY2004-05 shall be used to carry out the  
25 responsibilities of the Behavioral Health Oversight Commission.

26           There is hereby appropriated \$100,000 from the Nebraska  
27 Health Care Cash Fund for FY2005-06 to the Legislative Council, for  
28 Program 122, to aid in carrying out the provisions of Legislative

1 Bill 1083, Ninety-eighth Legislature, Second Session, 2004.  
 2 Included in the appropriation are funds to carry out the  
 3 responsibilities of the Behavioral Health Oversight Commission.

4           Sec. 3. Pursuant to Legislative Bill 1083, Ninety-eighth  
 5 Legislature, Second Session, 2004, all funding related to the  
 6 provision of regional center services that are reduced or  
 7 discontinued shall be reallocated and expended for purposes related  
 8 to the statewide development and provision of community-based  
 9 behavioral health services. The budget administrator of the budget  
 10 division of the Department of Administrative Services shall  
 11 administratively transfer during FY2004-05 and FY2005-06 available  
 12 appropriation balances as determined by the Director of Health and  
 13 Human Services from the Department of Health and Human Services,  
 14 Program 365, Mental Health Operations, to the Department of Health  
 15 and Human Services, Program 33, Administration, and the Department  
 16 of Health and Human Services Finance and Support, Program 38,  
 17 Behavioral Health Aid, and Program 341, Administration.

18           Sec. 4. Laws 2003, LB 407, section 220, is amended to  
 19 read:

20           Sec. 220.     AGENCY NO. 72 -- DEPARTMENT OF ECONOMIC  
 21 DEVELOPMENT

22           Program No. 601 - Community and Rural Development

23		FY2003-04	FY2004-05
24	GENERAL FUND	498,303	504,927
25	CASH FUND	4,094,873	5,097,079
26	FEDERAL FUND est.	22,746,210	22,774,701
27	PROGRAM TOTAL	27,339,386	28,376,707
28	GENERAL FUND	498,303	504,927

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1	<u>CASH FUND</u>	<u>4,094,873</u>	<u>6,097,079</u>
2	<u>FEDERAL FUND est.</u>	<u>22,746,210</u>	<u>22,774,701</u>
3	<u>PROGRAM TOTAL</u>	<u>27,339,386</u>	<u>29,376,707</u>
4	<u>SALARY LIMIT</u>	<u>695,325</u>	<u>709,109</u>

5           There is included in the appropriation to this program  
6 for FY2003-04 \$250,000 General Funds, \$4,000,000 Cash Funds, and  
7 \$21,499,700 Federal Funds estimate for state aid, which shall only  
8 be used for such purpose. There is included in the appropriation  
9 to this program for FY2004-05 \$250,000 General Funds, ~~\$5,000,000~~  
10 \$6,000,000 Cash Funds, and \$21,499,700 Federal Funds estimate for  
11 state aid, which shall only be used for such purpose. Of the  
12 \$6,000,000 Cash Funds earmarked for state aid for FY2004-05, the  
13 Department of Economic Development, in coordination with the  
14 Department of Health and Human Services, shall allocate up to  
15 \$2,000,000 for housing-related costs for persons with chronic  
16 mental illness.

17           Sec. 5. There is hereby appropriated (1) \$97,300 from  
18 the Professional and Occupational Credentialing Cash Fund for  
19 FY2004-05 and (2) \$87,916 from the Professional and Occupational  
20 Credentialing Cash Fund for FY2005-06 to the Department of Health  
21 and Human Services Regulation and Licensure, for Program 177, to  
22 aid in carrying out the provisions of Legislative Bill 1083,  
23 Ninety-eighth Legislature, Second Session, 2004.

24           Total expenditures for permanent and temporary salaries  
25 and per diems from funds appropriated in this section shall not  
26 exceed \$61,413 for FY2004-05 or \$62,641 for FY2005-06.

27           Sec. 6. Original Laws 2003, LB 407, section 220, is  
28 repealed.

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1                   Sec. 7. Since an emergency exists, this act takes effect  
2 when passed and approved according to law.